



Order Filed on November 14, 2022
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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ATTORNEYS FOR NewRez LLC d/b/a Shellpoint
Mortgage Servicing as servicer for THE BANK OF
NEW YORK MELLON FKA THE BANK OF NEW
YORK, AS TRUSTEE FOR THE
CERTIFICATEHOLDERS OF THE CWALT, INC.,
ALTERNATIVE LOAN TRUST 2007-HY7C
MORTGAGE PASS-THROUGH CERTIFICATES,
SERIES 2007-HY7C

In Re:

Jovanny A. Valdez

DEBTOR

Case No.: 19-16636

Chapter: 13

Hearing Date: TBD

Judge: MBK

Recommended Local Form

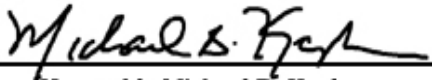
☒ Followed

☐ Modified

**ORDER RESOLVING MOTION TO VACATE STAY
AND/OR MOTION TO DISMISS
WITH CONDITIONS**

The relief set forth on the following pages, numbered two (2) through four (4) is **ORDERED**.

DATED: November 14, 2022


Honorable Michael B. Kaplan
United States Bankruptcy Judge

Applicant: NewRez LLC d/b/a Shellpoint Mortgage Servicing as servicer for THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF THE CWALT, INC., ALTERNATIVE LOAN TRUST 2007-HY7C MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-HY7C

Applicant's Counsel: Sherri J. Smith/Pincus Law Group, PLLC

Debtor's Counsel: Justin M. Gillman/Gillman, Bruton & Capone, LLC

Property Involved ("Collateral"): 631 Colgate Avenue, Perth Amboy, NJ 08861

Relief sought: ☒ Motion for relief from the automatic stay
☐ Motion to dismiss
☐ Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtor's future bankruptcy filings

For good cause shown, it is **ORDERED** that Applicant's Motion(s) is (are) resolved, subject to the following conditions:

1. Status of post-petition arrearages:

☒ The Debtor is overdue for 10 months, from 02/01/2022 to 11/01/2022 less suspense in the amount of \$433.84.

☒ The Debtor is overdue for 9 payments at \$1,498.24 per month.

☒ The Debtor is overdue for 1 payments at \$1,559.70 per month.

☐ The Debtor is assessed for _____ late charges at \$ _____ per month.

☐ Applicant acknowledges receipt of funds in the amount of \$ _____ received after the motion was filed.

Total Arrearages Due \$14,610.02

2. Debtor must cure all post-petition arrearages, as follows:

☒ Immediate payment shall be made in the amount of \$3,000.00. Payment shall be made no later than 11/1/2022.

☒ Beginning on 12/01/2022, regular monthly mortgage payments shall continue to be made in the amount of \$1,559.70.

☒ Beginning on 12/1/2022, additional monthly cure payments shall be made in the amount of **\$967.50** for 11 months and one Final Payment of **\$967.52** due on the 12th month.

☐ The amount of \$_____ shall be capitalized in the debtor's Chapter 13 plan. The debtor's monthly payment to the Chapter 13 Trustee is modified to be \$_____ per month.

3. Payments to the Secured Creditor shall be made to the following address(es):

☒ Immediate payment: NewRez LLC d/b/a Shellpoint Mortgage Servicing
P.O. Box 10826
Greenville, SC 29603

☒ Regular monthly payment: NewRez LLC d/b/a Shellpoint Mortgage Servicing
P.O. Box 10826
Greenville, SC 29603

☒ Monthly cure payment: NewRez LLC d/b/a Shellpoint Mortgage Servicing
P.O. Box 10826
Greenville, SC 29603

4. In the event of Default:

☒ If the Debtor fails to make the immediate payment specified above or fails to make any regular monthly payment or the additional monthly cure payment within thirty (30) days of the date the payments are due, then the Secured Creditor may obtain an Order Vacating the Automatic Stay as to the Collateral by filing, with the Bankruptcy Court, a Certification specifying the Debtor's failure to comply with this Order. At the time the Certification is filed with the court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor, and the Debtor's attorney.

☐ If the bankruptcy case is dismissed, or if the automatic stay is vacated, the filing of a new bankruptcy case will not act to impose the automatic stay against the Secured Creditor's opportunity to proceed against its Collateral without further Order of the Court.

5. Award of Attorneys' Fees:

☒ The Applicant is awarded attorneys fees of \$550.00, and costs of \$ 188.00.

The fees and costs are payable:

☒ through the Chapter 13 plan.

☐ to the Secured Creditor within _____ days.

☐ Attorneys' fees are not awarded.

rev. 8/1/15

In re:
Jovanny A Valdez
Debtor

Case No. 19-16636-MBK
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3
Date Rcvd: Nov 14, 2022

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 16, 2022:

Recip ID	Recipient Name and Address
db	+ Jovanny A Valdez, 130 Lewis St, Perth Amboy, NJ 08861-4621

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 16, 2022

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 14, 2022 at the address(es) listed below:

Name	Email Address
Albert Russo	on behalf of Trustee Albert Russo docs@russotrustee.com
Albert Russo	docs@russotrustee.com
Denise E. Carlon	on behalf of Creditor The Bank of New York Mellon fka The Bank of New York as Trustee, et al... dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Justin M Gillman	on behalf of Debtor Jovanny A Valdez ecf@gbclawgroup.com GillmanBrutonCaponeLLC@jubileebk.net,e4ef5f23@maildrop.clcio.com;jgillman@ecf.courtdrive.com
Melissa N. Licker	on behalf of Creditor U.S. Bank Trust National Association as Trustee for CVI LCF Mortgage Loan Trust I mlicker@hillwallack.com, HWBKnewyork@ecf.courtdrive.com

District/off: 0312-3

User: admin

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Date Rcvd: Nov 14, 2022

Form ID: pdf903

Total Noticed: 1

Phillip Andrew Raymond

on behalf of Creditor U.S. Bank Trust National Association as Trustee for CVI LCF Mortgage Loan Trust I
phillip.raymond@mccalla.com, mccallaecf@ecf.courtdrive.com

Sherri Jennifer Smith

on behalf of Creditor The Bank of New York Mellon fka The Bank of New York as Trustee, et al... ssmith@pincuslaw.com,
brausch@pincuslaw.com

Steven P. Kelly

on behalf of Creditor Wilmington Savings Fund Society FSB, et al skelly@sterneisenberg.com, bkecf@sterneisenberg.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 9